

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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DSM IP ASSETS, B.V. & DSM BIO-BASED  
PRODUCTS & SERVICES, B.V.,

Plaintiffs and Counter-Defendants

ORDER

v.

16-cv-497-wmc

LALLEMAND SPECIALTIES, INC. &  
MASCOMA LLC,

Defendants and Counterclaimants.

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On the parties' deposition designations, counter-designations and objections as to

Brian Wamsley, the court rules as follows:

Lallemand's Designations	DSM's Objections	Court Ruling	DSM's Counter-Designations	Lallemand's Objections to DSM's Counter-Designations	Lallemand's Counter Designations	Court Ruling
22:7-23:21			23:22-24:7	<i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/Misleading</i> (FRE 403)		Overruled.
			42:8-43:18	<i>Includes Attorney Objections</i> (FRE 611(a)) <b>[FRE43:7-18]</b> <i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/Misleading</i> (FRE 403); <i>Includes Attorney Objections</i> (FRE 611(a))		Sustained: 42:10, 17; 43:10, 17. Overruled as to remainder.
			48:9-50:9	<i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/Misleading</i> (FRE 403); <i>Includes Attorney Objections</i> (FRE 611(a))		Sustained: 48:19; 49:11 through 50:1-4. Overruled as to remainder.
			52:5-10	<i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/Misleading</i> (FRE 403)		Sustained.
			52:20-55:19	<i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/Misleading</i> (FRE 403); <i>Includes Attorney Objections</i> (FRE 611(a)); <i>Seeks Expert Opinion</i>		Sustained: 52:20 through 54:4. Overruled as to

				(FRE 701/702)		remainder.
			59:15-14	<i>Improper Counter-Designation as Beyond the Scope; Lack of Personal Knowledge</i> (FRE 602)		Sustained.
			59:22-61:3	<i>MIL No 14; Improper Counter- Designation as Beyond the Scope; Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/ Misleading</i> (FRE 403); <i>Knowledge</i> (FRE 602); <i>Includes Attorney Objections</i> (FRE 611(a)); <i>Lack of Personal Knowledge</i> (FRE 602)	61:5-7; 61:9-12	Strike: 61:5-7; 61:9-12.  Sustained as to DSM counter-designations.
			62:3-63:10	<i>Includes Attorney Objections</i> (FRE 611(a)) <b>[62:9-63:10] Lack of Foundation</b> (FRE 103/104); <i>Irrelevant</i> (FRE 402); <i>Prejudicial/Confusing/ Misleading</i> (FRE 403)		Sustained: 62:6, 15; 63:3. Overruled as to remainder.

Entered this 9th day of May, 2018.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge